<u>REMARKS</u>

Applicant respectfully requests the reconsideration of this application and the consideration of the following remarks.

Figure 4A was objected to for the absence of a legend such as --Prior Art--. Figure 4A is currently amended to include such a legend. A replacement sheet is submitted.

The specification was objected to for containing an embedded hyperlink and/or other form of browser-executable code. Application respectfully disagrees. MPEP 608.01 shows:

"Where the hyperlinks and/or other forms of browser-executable codes are part of applicant's invention and it is necessary to have them included in the patent application in order to comply with the requirements of 35 U.S.C. 112, first paragraph, and applicant does not intend to have these hyperlinks be active links, examiners should not object to these hyperlinks. The Office will disable these hyperlinks when preparing the text to be loaded onto the USPTO web database."

The specification does not contain any hyperlink (and/or other form of browser-executable code) that is intended to be an active link. No portion of the specification should be presented as an active link. If the specification were loaded into the USPTO web database, there would be no active link from the specification to any other web sites. Thus, the withdrawal of the object is respectfully requested.

Claims 1-3, 5-12, 14-21 and 23-43 were rejected under 35 U.S.C. 102(e) as being anticipated by Krishan (U.S. Patent No. 6,442,529); claims 4, 13 and 22 were rejected under 35 U.S.C. 103(a) as being unpatentable over Krishan. Claims 33 and 39 were objected to for

the informality of the phrase "to it". Claims 33 and 39 are currently amended to eliminate the phrase "to it"; new claims 44-49 are added; claims 1-49 are pending.

Applicant respectfully submits that the pending claims are patentable over Krishan. The description of Krishan does not show the subject matter as claimed. A detailed analysis is provided below.

To properly configure a network device to use TCP/IP, a set of network configuration parameters, such as the Internet Protocol (IP) address of the network device, needs to be specified for the network device. An IP address can be manually specified for the network device, or automatically specified through the use of a DHCP (Dynamic Host Configuration Protocol) server, or specified through other methods (e.g., using a Point-to-Point Protocol (PPP) in a dial-up connection over a phone line). A host may send a data packet to request the network configuration information. In response, a DHCP server may then provide a dynamic DHCP address to the host. In one embodiment of the present invention, when the DHCP server sends an ACKNOWLEDGE packet to inform the host of the address, the DHCP server also *adds* presentation information to the ACKNOWLEDGE packet so that the host presents the information at the time of network initialization (see, e.g., line 19 of page 10 – line 5 of page 11, the specification of the present application). In one embodiment of the present invention, the presentation information is provided during the network address acquisition so that the presentation information is not specific to a particular type of network application. For example, a user using e-mail, filesharing or encrypted telnet can also get the presentation information upon network initialization.

Krishan relates to an entirely different process. Krishan provides a validation mechanism to give the portal provider an ongoing role in providing advertisements to mini-portal users (see, e.g., abstract, lines 12-17, Krishan). Figure 5, item 108, of Krishan shows that the mini-portal checks if the validation server allows the user to access Internet through

the advertisement subsidized Internet Service Provider (ISP). After the validation, the mini-portal may be used to provide the user with Internet access (see, e.g., Col. 14, lines 60-63, Krishan).

The mini-portal is used to access the validation server and the advisement server over the Internet, which indicates that the mini-portal is already configured for networking before the validation process. For example, "In step 107, when the user connects to the Internet, the mini-portal sends its serial number over the Internet to a validation server operated by the portal provider" (Col. 14, lines 7-9, Krishan). Since the serial number is sent over the Internet, it is apparent that the mini-portal is already properly configured for networking over the Internet before the process of validation. Further, in Krishan, the text in block 107 of Figure 5 also clearly shows that the "user connects to Internet" before starting to send the serial number. Thus, in Krishan the network configuration information are applied before the validation process starts.

Obtaining a permit to accessing a certain portion of the Internet (e.g., other than the validation server and the advertisement server) cannot be considered as obtaining network configuration information. In Krishan, the mini-portal is connected to the Internet and configured to access the validation server and the advertisement server over the Internet before the validation process. A validation stamp and configuration information for getting the advertisements are obtained from these servers over the Internet before the user is permitted to access other portions of the Internet. Clearly, permission acquisition is completely different from network address acquisition.

It is apparent that Krishan relates to the validation mechanism, not the network parameter configuring process. Krishan provides no explicit description about how the networking configuration parameters are obtained and configured. Krishan shows a mini-portal card in Figure 10, which includes a modem circuit 84 for connecting to the ISP over a

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telephone line through connector 92 (see, e.g., Col. 22, lines 11-15, Krishan). Thus, it is apparent that Krishan uses a conventional dial-up procedure to configure the networking parameters (also see, e.g., Col. 16, lines 31-32, Krishan). It is understood that, after the dial-up procedure, the mini-portal card is properly configured for accessing Internet; the software of the mini-portal limits the Internet access to the validation server and the advertisement server to enforce the validation mechanism in order to give the portal provider an ongoing role in providing advertisements to mini-portal users.

One embodiment of the present invention extends the Dynamic Host Configuration Protocol (DHCP) to provide presentation information so that during network address acquisition, a host obtains a DHCP address *and* the presentation information, since the presentation information is <u>added to</u> the DHCP data packet (see, e.g., page 15, lines 7-10, the specification of the present application). In one implementation, the presentation information is added to the ACKNOWLEDGE packet which is primarily designed to inform the host of the DHCP address. As one implementation, the specification of the present application suggests that the presentation information can be contained in a DHCP option code 56 data block. Such a novel use of the DHCP packet is not found in the prior art references. The information added to the ACKNOWLEDGE packet can be a text message or URL-formatted text that causes the presentation of a web page or other network resource information. For example, claims 1 and 9 recite:

1.   (previously presented) A method, implemented on a processing
      system, comprising:
      receiving a request for network configuration information from a client
            processing system;
      sending network configuration information from a server processing
            system to the client processing system, <u>the network</u>
            <u>configuration information having added to it, at least one of</u>

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presentation information, or an address representative of said presentation information such that said presentation information is presented when the client processing system uses the network configuration information.

9.   (previously presented) A method, implemented on a processing system, comprising:

requesting network configuration information from a server processing system;

receiving network configuration information at a client processing system, the network configuration information having added to it at least one of presentation information or an address representative of said presentation information such that said presentation information is presented when the client processing system uses the network configuration information.

In Col. 12, lines 41-52, of Krishan, "configuration information, such as a uniform resource locator (URL) of the advertisement server from which mini-portal 51 will receive pointers to advertisements" is not network configuration information. The configuration information of Krishan is information for displaying advertisement information to subside Internet access. The uniform resource locator (URL) of the advertisement server is the example of the configuration information of Krishan, which is clearly not network configuration information. Further, this configuration information of Krishan is not added to any network configuration information, since the mini-portal is already configured for networking over Internet before accessing the validation server. Furthermore, the validation stamp is not network configuration information. Neither the validation stamp nor the configuration information such as a URL of the advertisement server assigns a network address (e.g., an IP

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address, such as a DHCP address) to the mini-portal (see, also, claims 44-49). Thus, Krishan does not anticipate claims 1 and 9.

Claims 10, 18, 19 and 27 recite limitations similar to those recited in claims 1 and 9. Claims 2-8, 11-17, 20-26, 28-49 depend from claims 1, 9, 10, 18, 19 and 27 to incorporate the limitations of the respective independent claims. Thus, claims 1-49 are patentable over Krishan at least for the above reasons.

Further, for example, claim 2 recites:

> 2.   (previously presented) The method of claim 1, wherein the network
>   configuration information is <u>network initialization information</u> and
>   wherein said presentation information is determined at least in part by
>   said network configuration information.

However, in Col. 12, lines 18-30, of Krishan, the description of "mini-portal displays advertisements and other messages only at times ... such as when personal computer 50 is connecting to the Internet" only shows the timing of the display of the personal computer. This portion of Krishan does not explicitly show how and when the advertisements are obtained for displaying at the time "when personal computer 50 is connecting to the Internet". There is no indication that the advertisements are downloaded with network initialization information for connecting to the Internet. However, Krishan shows that the mini-portal "displays advertisements and other messages only at times when viewing the messages will not unduly burden to the user" (Col. 12, lines 18-30), "It is also an object of the invention to ... uses idle time to download and display advertisements and other informational messages"(Col. 3, lines 29-32), and "Advertisements and other messages are stored on the user's computer, so they need not be downloaded to be displayed" (Col. 3, lines 60-62). Thus, it is understood that the advertisements displayed when personal computer 50 is connecting to the Internet are information previously downloaded to and stored in the

personal computer during idle time. Further, there is no indication that the advertisements of Krishan are "determined at least in part by said network configuration information".

Further, claim 3 recites:

3.   (original) The method of claim 1, wherein the network configuration information is formatted in accordance with <u>a configuration protocol</u>.

However, in Col. 21, lines 47-55, of Krishan, the network protocol implemented on network controller 99 is for the connection to client computers connected to ports 97, not for the mini-portal to connect to the Internet. The modem controller 96 is used to connect to the Internet Service Provider (see, e.g., Col., 22, lines 11-15, Krishan). The ports 97 are used for sharing the Internet connection maintained by the modem. "The proxy server software permits multiple computers connected to card 80 through ports 97 and cascade port 95 to access the Internet using a single dial-up connection maintained by modem circuitry 84." (Col. 22, lines 17-21, Krishan) Thus, the network protocol implemented on network controller 99 has nothing to do with configuring the mini-portal to access the Internet and to download advertisements. Furthermore, there is no indication that the network protocol implemented on network controller 99 is a *configuration* protocol.

Further, claim 4 recites:

4.   (original) The method of claim 3, wherein the configuration protocol is the Dynamic Host Configuration Protocol.

Since Krishan uses a dial-up connection to the Internet (see, e.g., Col. 16, lines 31-32, Krishan), it does not appear the mini-portal would use Dynamic Host Configuration Protocol. Applicant would like to see evidence of dial-up connections that use Dynamic Host Configuration Protocol to obtain IP addresses. Furthermore, since DHCP was not designed
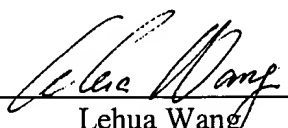
to provide presentation information, Applicant would like to see evidence of the alleged knowledge of using Dynamic Host Configuration Protocol to transport the presentation information during dynamically assigning IP addresses. This evidence is required to make a *prima facie* conclusion of obviousness. The examiner bears the initial burden of *factually supporting* any *prima facie* conclusion of obviousness. "The tendency to resort to hindsight upon applicant's disclosure is often difficult to avoid due to the very nature of the examination process. However, impermissible hindsight must be avoided and the legal conclusion must be reached on the basis of the facts gleaned from the prior art." (MPEP 2142). Applicant respectfully submits that the rejection under 35 U.S.C. 103(a) as being unpatentable over Krishan is improper. The withdrawal of the rejection under 35 U.S.C. 103(a) is respectfully requested.

Please charge any shortages or credit any overages to Deposit Account No. 02-2666. Furthermore, if an extension is required, Applicant hereby requests such extension.

Respectfully submitted,

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